

## SENATE BILL No. 451

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-5-2-1.2; IC 21-3-13.

**Synopsis:** Full day kindergarten. Provides that the governing body of a school corporation shall establish either a full day or a combination full day and half day program for kindergarten. Provides that the parent of an enrolled kindergarten student determines whether the student attends kindergarten for a full day or half day. Provides a grant to each school corporation that offers a full day kindergarten program, with the amount of the grant equal to the additional amounts a school corporation would have received for tuition support, the growing enrollment adjustment, the at-risk grant, the transportation distribution, and the primetime distribution if each full day kindergarten student were counted as one pupil rather than one-half pupil for purposes of the distribution formulas.

**Effective:** July 1, 2004.

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**Breaux**

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January 12, 2004, read first time and referred to Committee on Education and Career Development.

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Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## SENATE BILL No. 451

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 20-5-2-1.2, AS AMENDED BY P.L.50-2001,  
2       SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2004]: Sec. 1.2. (a) Each school corporation shall conduct an  
4       educational program for all children who reside within the school  
5       corporation in kindergarten and in grades 1 through 12. ~~During the~~  
6       ~~1990-91 school year, each school corporation may provide each~~  
7       ~~preschool child with a disability with an appropriate special education~~  
8       ~~as required under IC 20-1-6-14.1 using local or available federal funds.~~  
9       ~~Beginning with the 1991-92 school year, The following apply to a~~  
10      ~~kindergarten program conducted under this section:~~

11       (1) The governing body shall determine whether to conduct  
12       the kindergarten program as a full day program or a  
13       combination full day and half day program.

14       (2) The parent of a student who is enrolled in kindergarten in  
15       a school corporation that establishes a combination full day  
16       and half day program shall determine whether the student  
17       will attend kindergarten for a half day or a full day.



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Each school corporation shall provide each preschool child with a disability with an appropriate special education as required under IC 20-1-6-14.1 only if the general assembly appropriates state funds for preschool special education.

(b) Each school corporation may:

- (1) conduct an educational program for adults and children over fourteen (14) years of age not attending a program under subsection (a);
- (2) provide instruction in vocational, industrial, or manual training;
- (3) provide libraries for the schools of the school corporation;
- (4) provide public libraries open and free for the use and benefit of the residents and taxpayers of the school corporation where permitted by law;
- (5) provide vacation school and recreational programs;
- (6) conduct other educational or other activities as are permitted or required to be performed by law by any school corporation; and
- (7) provide a school age child care program that operates during periods when school is in session for students who are enrolled in a half day kindergarten program.

(c) Each school corporation shall develop a written policy that provides for:

- (1) the implementation of a school age child care program for children who attend kindergarten through grade 6 that, at a minimum, operates after the school day and may include periods of time before school is in session or periods when school is not otherwise in session (commonly referred to as latch key programs) and is offered by the school corporation; or
- (2) the availability of the school corporation's buildings or parts of the school corporation's buildings to conduct the types of programs described in subdivision (1) by nonprofit organizations or for-profit organizations.

(d) The written policy required under subsection (c) must address compliance with certain standards for reasonable care for children served under a child care program offered under this subsection, including:

- (1) requiring the offering entity to acquire a particular amount of liability insurance; and
- (2) establishing maximum adult to child ratios governing the overall supervision of the children being served.

If a school corporation implements the school corporation's own child care program or enters into a contract to provide these programs, the

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school corporation may not assess a fee for the use of the building, and the contract between the school corporation and the entity providing the program must be in writing. However, the school corporation may assess a fee to reimburse the school corporation for providing security, maintenance, utilities, school personnel, or other added costs directly attributable to the use of the buildings for the programs. In addition, if a school corporation offers the school corporation's own child care program, the school corporation may assess a fee to cover the costs attributable to implementing the program.

(e) The powers under this section shall be construed as purposes as well as powers.

SECTION 2. IC 21-3-13 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]:

**Chapter 13. Full Day Kindergarten Grants**

**Sec. 1.** As used in this chapter, "ADM" has the meaning set forth in IC 21-3-1.6-1.1.

**Sec. 2.** A school corporation that provides a full day kindergarten program is entitled to receive a grant from the state under this chapter.

**Sec. 3.** The amount of the grant that a school corporation is entitled to receive under this chapter is determined under the following STEPS:

**STEP ONE: Determine the result of:**

(A) the tuition support distribution the school corporation would have received under IC 21-3-1.7-8.2 for a year if each student attending a full day kindergarten program were counted as one (1) ADM; minus

(B) the tuition support distribution that the school corporation will receive under IC 21-3-1.7-8.2 for the year.

**STEP TWO: Determine the result of:**

(A) the enrollment adjustment grant the school corporation would have received under IC 21-3-1.7-9.5 for a year if each student attending a full day kindergarten program were counted as one (1) ADM; minus

(B) the enrollment adjustment grant that the school corporation will receive under IC 21-3-1.7-9.5 for the year.

**STEP THREE: Determine the result of:**

(A) the amount the school corporation would have received under IC 21-3-1.7-9.7 for a year for at-risk programs if each student attending a full day kindergarten program were counted as one (1) ADM; minus

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- 1 (B) the amount the school corporation will receive under  
 2 IC 21-3-1.7-9.7 for the year for at-risk programs.  
 3 **STEP FOUR: Determine the result of:**  
 4 (A) the transportation distribution the school corporation  
 5 would have received under IC 21-3-3.1 for the year if each  
 6 student attending a full day kindergarten program were  
 7 counted as one (1) ADM; minus  
 8 (B) the transportation distribution the school corporation  
 9 will receive for the year under IC 21-3-3.1.  
 10 **STEP FIVE: Determine the result of:**  
 11 (A) the primetime distribution the school corporation  
 12 would have received under IC 21-1-30 for the year if each  
 13 student attending a full day kindergarten program were  
 14 counted as one (1) ADM; minus  
 15 (B) the primetime distribution the school corporation will  
 16 receive for the year under IC 21-1-30.  
 17 **STEP SIX: Determine the sum of the results determined for**  
 18 **the school corporation in STEPS ONE through FIVE.**  
 19 **Sec. 4. The amount necessary to provide the grants under this**  
 20 **chapter is annually appropriated from the state general fund.**  
 21 **Sec. 5. The department of education shall adopt rules under**  
 22 **IC 4-22-2 to carry out this chapter.**

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